

In the Supreme Court of the State of Idaho

IN RE: IDAHO CODE OF JUDICIAL CONDUCT

ORDER AMENDING IDAHO
CODE OF JUDICIAL CONDUCT

The Court having reviewed a recommendation from the Administrative Conference with regard to the practice of law by judicial employees, and being fully informed;

NOW, THEREFORE, IT IS HEREBY ORDERED, that Canon 4(G) of the Idaho Code of Judicial Conduct be, and hereby is, amended as follows:

G. Practice of Law. A judge shall not practice law. Notwithstanding this prohibition, a judge may act pro se and may, without compensation, give legal advice to and draft or review documents for a member of the judge's family. Employees of the judicial branch of government, other than judges, shall not engage in the practice of law except that a judicial employee may act pro se, may perform routine legal work incident to the management of the personal affairs of the judicial employee or a member of the judicial employee's family, and may provide pro bono legal services in civil matters, so long as such pro se, family, or pro bono legal work does not present an appearance of impropriety, does not take place while on duty or in the judicial employee's workplace except as may be permitted by the Idaho Supreme Court, and does not interfere with the judicial employee's primary responsibility to the office in which the judicial employee serves, and further provided that:

(1) in the case of pro se legal work, such work is done without compensation;

(2) in the case of family legal work, such work is done without compensation and does not involve the entry of an appearance in a federal or state court;

(3) in the case of pro bono legal services, such work (a) is done without compensation; (b) does not involve the entry of an appearance in any federal or state court or administrative agency; (c) does not involve a matter of public controversy, an issue likely to come before the judicial employee's court, or litigation against federal, state or local government; and (d) is reviewed in advance with the appointing authority to determine whether the proposed services are consistent with the foregoing standards and the other provisions of this code.

Judicial employees may also serve as uncompensated mediators or arbitrators for nonprofit organizations, subject to the standards applicable to pro bono practice of law, as set forth above, and the other provisions of this code.

IT IS FURTHER ORDERED, that this amendment shall be effective on the 26 day of February, 2010.

DATED this 26 day of February, 2010.

By Order of the Supreme Court



Daniel T. Eismann
Chief Justice

ATTEST: Stephen Kenyon
Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the Order entered in the above entitled cause and now on record in my office.

WITNESS my hand and the Seal of this Court 3/1/10

STEPHEN W. KENYON

Clerk

By: Kimberly Gray Deputy